

REMARKS

I. Introduction

In response to the Office Action dated June 13, 2006, claims 1, 7, 11, 17, 21, and 27 have been amended. Claims 1, 3-11, 13-21, and 23-30 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Interview Summary

On August 25, 2006, an interview was conducted between Examiner Basom and Attorney for Applicant, Jason S. Feldmar, Reg. No. 39,187. The prior art and pending Office Action were discussed. Agreement was reached in that various amendments were suggested by the Examiner to overcome the references including Janssen. The Examiner indicated that the SPE would have to be consulted to ensure that such amendments would overcome Janssen. In addition, it was indicated that such amendments would not result in any further 35 U.S.C. §112 rejections.

The Examiner also indicated that further art, Ording, U.S. Patent No. 6,396,520, could potentially be used in combination with Janssen to reject the claims and any outstanding amendments.

The Examiner further agreed to consult with his SPE if proposed amendments were submitted.

Applicants appreciate the time and consideration provided by the Examiner in reviewing the case and subject matter. Enclosed herewith are proposed amendments that can be used to further clarify the subject matter of the claims. Applicants submit that such amendments place the application in condition for allowance and that none of the cited references teach, disclose, or suggest, the current claims when considered as a whole.

On August 29, 2006, an additional interview was conducted between Examiner Basom and Jason S. Feldmar. The above amendments were discussed in view of the prior art. Agreement was reached in that the amendments overcome the 112 rejections. However, agreement was not reached in that the Examiner asserted that the amendments do not place the application in condition for allowance but instead places the application in better condition for appeal.

III. Non-Art Rejections

On page (6) of the Office Action, claims 1, 7, 11, 17, 21, and 27 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite because for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Pursuant to the Interview with the Examiner, claims 1, 7, 11, 17, 21, and 27 have been amended. Applicants submit that the rejections are now moot.

IV. Prior Art Rejections

On page (7) of the Office Action, claims 1, 3-6, 9, 11, 13-16, 19, 21, 23-26, and 29 were rejected under 35 U.S.C. §102(e) as being anticipated by Janssen et al., U.S. Patent No. 6,512,529 (Janssen). On page (11) of the Office Action, claims 8, 10, 18, 20, 28, and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Janssen and Wandersleben et al., U.S. Patent No. 6,853,390 (Wandersleben). On page (12) of the Office Action, claims 7, 17, and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Janssen and Wandersleben and also Microsoft Word 2000 application (MS Word).

Applicant respectfully traverses these rejections.

Specifically, claim 1 was rejected as follows:

Specifically regarding claims 1, 11, and 21:

Janssen teaches: displaying a window of a currently active application on a display device; determining a location of a cursor with respect to the window; making the window, or portions thereof, invisible when the cursor moves outside of the window without depressing a button of the window; and displaying the complete window when the cursor moves within the extent of the window, without depressing a button of the window (for example, see column 2, line 33 – column 3, line 20; column 4, line 56 – column 5, line 9). Janssen further teaches that, when the cursor moves outside of the window, only a title bar of the window may be displayed (for example, see column 2, line 59 – column 3, line 4). Such a displayed window is considered a collapsed version of the window, which is a size of, and comprises a title bar of, the dialog window. Moreover, as Janssen discloses that the complete dialog window is displayed when the cursor moves anywhere within the extent of the window, which includes this title bar, Janssen further is considered to teach displaying the complete window when the cursor moves within the title bar of the collapsed version of the window without depressing a button of the window. As asserted above, it is understood that such teachings may apply to dialog windows, a well-known type of window in the art. Accordingly, Janssen teaches a computer-implemented method for collapsing a dialog window of an application, the method comprising: displaying a complete dialog window of a currently active application on a display device; determining a location of a cursor with respect to the dialog window; displaying a collapsed version of the dialog window when the cursor moves outside of the complete dialog window without depressing a button of the dialog window, wherein the display of the collapsed version of the dialog window consumes a smaller area of the display device than the complete dialog window and wherein the collapsed version of the dialog window is a size of and comprises a title bar of the dialog window; and displaying the complete dialog window when the cursor moves within the title bar of the collapsed version of the

dialog window without depressing a button of the dialog window, like recited in claim 1. Janssen further discloses that such teachings may be implemented as software, presumably stored in computer memory and executed by a computer (see column 4, lines 5-40). Such computer memory comprising software to implement the teachings of Janssen is considered an “article of manufacture,” like described in claim 11. A computer executing the software in order to implement the teachings of Janssen is considered a system like that described in claim 21.

Applicants reassert the arguments from the prior Office Action in view of the above amendments. Such arguments are set forth below.

Namely, Janssen, Microsoft®, and Wandersleben all fail to teach, disclose or suggest displaying a complete dialog window by moving a cursor into a title bar that comprises a collapsed version of the full window. Further, Janssen teaches away from such claim limitations.

Independent claims 1, 11, and 21, are generally directed to collapsing a dialog window. More specifically, the independent claims provide for merely moving the cursor outside of the complete dialog window to cause the collapsed version of the dialog window to display. Further, merely moving the cursor within the collapsed version of the dialog window causes the complete dialog window to display. In addition, the amended independent claims provide that the collapsed version of the dialog window comprises a title bar of the dialog window. Thus, as amended, the claims now provide that when the cursor moves out of the complete window, the title bar of the complete window is shown. Further, to display the complete dialog window again, the user moves the cursor only into the title bar of the collapsed version of the dialog window.

The present amendments further provide and require that the collapsed and complete dialog windows are displayed in response to actual cursor movement. Further, the complete dialog window is displayed only when the cursor moves from outside of the collapsed version of the dialog window to within the title bar. Accordingly, merely moving around the extent of the window (as in Janssen) would not trigger the display of the complete dialog window as claimed.

The differences between the amended claims and Janssen clearly establish patentability of the invention. Applicants first note that for Janssen to display the complete opaque window, the user merely moves the cursor anywhere into the extent of the window. In other words, rather than forcing the user to move into the title bar, the user merely moves the cursor into any part of the area where the full invisible window resides, and the full opaque window is then displayed. Such a window display is different from the present invention where the user must move the cursor into the title bar and not anywhere within the extent of the full window. Such differences are significant.

Applicants direct the attention of the Examiner to the background of Janssen and note that Janssen is directed towards applications where information in windows of the application change dynamically independent of operator intervention (see col. 1, lines 41-44). In this regard, Janssen refers to an air traffic control display where aircraft are plotted on a display according to their current position that dynamically changes without user intervention (see col. 1, lines 44-50). Janssen also relies on such an example in the detailed description of the invention (see col. 4, line 43-col. 5, line 47 and FIGS. 2-4). Janssen continues in the background and explains that the operator needs to view the background air traffic while viewing other information as well (see col. 1, lines 58-col. 2, line 5).

To cure the problems of the prior art, Janssen merely provides the ability for a window to become invisible and therefore allowing the user to see the background radar data under the invisible window. To display the contents of the informational windows (that are invisible), the user merely moves the cursor anywhere into the area of the invisible window again. (See FIG. 3, col. 4, lines 57-col. 5, line 9).

The noted difference or problem with Janssen's invention is that the user cannot work in the background radar data screen under where the invisible window is displayed. In other words, the only use of Janssen is to allow the user to visually see the background radar data. As Janssen itself states, there is no user interaction with the window but the information dynamically changes without user interaction. Further, even if the user wanted to interact with the data, Janssen's invention would not permit it. In this regard, as soon as the user moves the cursor to a place where the invisible window exists, the full window is displayed and the user cannot work on the background radar data.

In view of the above, it can be seen that the differences between Janssen and the present claims are significant and the present invention provides significant and clear advantages over that of Janssen. Further, there is no suggestion or motivation to modify Janssen to provide the benefits of the present invention or in the manner disclosed in the present invention.

In response to the above arguments that were previously submitted, the final Office Action provides that the claims fail to recite that the collapsed version of the dialog window is only a title bar of the dialog window, whereby to display the complete dialog window, the user must move the cursor into the title bar. The final Action continues and states that it is within the scope of the independent claims for the collapsed version of the dialog window to comprise other displayed features in addition to a title bar and for the complete dialog window to be displayed in response to moving the cursor within parts of the collapsed version of the dialog box other than its title bar.

Applicants respectfully disagree with the Examiner's interpretation of the scope of the claims. However, to expedite prosecution, Applicants have amended the claims to recite that the collapsed version of the dialog window comprises the title bar of the dialog window. Further, the

amended claims now recite that the complete dialog window is only displayed in response to the cursor moving within the title bar of the collapsed version of the dialog window. Accordingly, the current claims are clearly distinguishable from Janssen and the assertions set forth in the final Office Action are now moot. In this regard, it is not within the scope of the present invention for the collapsed version of the dialog window to comprise other displayed features in addition to the title bar since the collapsed version of the dialog window comprises the title bar itself. Further, the claims explicitly provide that the cursor must move into the title bar of the collapsed version of the dialog window to display the complete dialog window. Thus, the arguments set forth in response to the prior arguments are now moot.

In addition to the differences between the independent claims and Janssen, the dependent claims provide further advantages. For example, dependent claim 7 is directed towards the focus of the window wherein when the collapsed version of the window is displayed, the focus reverts to and the user is able to continue working in another window of the application without any additional action by the user. There is not even a remote suggestion of such a teaching in Janssen. In this regard, Janssen teaches away from such a limitation. For example, since Janssen teaches to merely display the background radar information that does not have any user interaction, there would be no need to revert the focus to the background radar – there would be no reason or rationale for such a focus. Further, the user would be incapable of working in Janssen's background since the complete opaque window would be displayed as soon as the cursor moved into the area thereby returning the focus to the front informational window (see FIGS. 2-4 of Janssen).

The Office Action relies on Microsoft Word 2000 to teach the limitations of claims 7, 17, and 27. However, in view of the teaching away by Janssen, there would be no reason or rationale to

combine Janssen with Microsoft Word 2000. The claims are specific in their use and limitations. Microsoft Word 2000 lacks numerous aspects of the claims and cannot be combined with Janssen. Again, Janssen teaches away from focusing on the background radar or another window. Accordingly, there would be no use or desire to change the focus as suggested in the Office Action or in Microsoft Word 2000.

In response to the above arguments, the final Office Action states that the Examiner disagrees and provides that the implementation described in Janssen is merely an example and it is understood that Janssen's teachings can be used in a plurality of environments, including those where background or other windows require user interaction. The final Office Action states that such teachings may be implemented within Microsoft Windows or Apple MacO/S operating systems, which may comprise background windows that require user input.

Applicants respectfully disagree with and traverse such assertions. The Office Action relies on col. 4, lines 20-40 for support of its assertion that it can be implemented in a Windows or Mac O/S. Col. 4, lines 20-40 explicitly provides that Janssen manages space where there is information in background windows that occupies large portions of the display surface and numerous information windows overlaying it. Again, this portion of Janssen explicitly and expressly provides that information is merely displayed in such windows. There is no hint or suggestion that any of the windows would require user interaction whatsoever. As stated above, it is not possible to use Janssen's invention to modify the focus. In the example provided (which is the only example recited and set forth in Janssen's figures, as soon as the user moves within the extent of the window, the opaque window is displayed once again. Thus, in Janssen, if the user did attempt to work in a background window that was within the extent of the opaque window, it would not be possible.

Instead, every time the user would move the cursor into the background window, the opaque window would be displayed. Thus, the focus could never revert to the background windows.

Applicants again reassert that there is no teaching or suggestion, remote or otherwise, relating to the focus of background windows in Janssen. In this regard, the Office Action is extending far beyond the explicit teaching of Janssen without any support from the actual teaching of Janssen. Further, Janssen fails to even allude to any other examples or types of information that may be used in Janssen's invention. Instead, the Office Action is merely relying on a vague operating environment based description that states Janssen can be used on various operating systems. Regardless of the operating system in which Janssen may be installed, the teaching of Janssen does not change. Instead, there is no need to change the focus and it would be illogical to modify the focus of Janssen's windows because as soon as the cursor is moved back anywhere within the extent of the window, the old opaque window is displayed once again. Such a teaching teaches away from the assertion in the Office Action.

Again, the use of Word is wholly without merit. The MPEP §706.02(j) provides that "there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings." There is no motivation within either reference to use Word in a user interface management system of Janssen and vice versa. Further, the Office Action fails to recite a motivation. Instead, the Action merely states that it would have been obvious to one of ordinary skill in the art to automatically revert focus of the windows in Janssen as taught by Word, in order to eliminate the need to click on the window to restore focus. Applicants note that such an assertion fails to provide a motivation to combine. Further, the elimination of the "need to click on the

window to restore focus” would not work in Janssen. Instead, every time the user merely moved the cursor within the extent of Janssen’s window the large opaque window would be displayed once again. Thus, the need to click on the window to restore focus does not even exist in Janssen. Further, such an elimination of the need relies on impermissible hindsight offered by the teaching of the present invention.

In addition, the Advisory Action indicates that a window with focus may simply be a window that is predominantly displayed. Applicants respectfully disagree. There is no foundation or rationale that supports such an interpretation of the word focus as used in the claims and set forth in the specification. Stating that a window with focus is merely a predominantly displayed window would not only lack support in the specification but would be indefinite because it would be unclear what predominant is. Further, the claims provide for reverting focus to another window. Further, in view of recent case law, it is improper to look to definitions outside of the scope of the present specification for a definition of a term. Nonetheless, in an attempt to provide more clarity, Applicants have amended these dependent claims to provide that the focus reverts to and the user continues to work in the other window without additional action by the user. Such claim language clearly differentiates a window that is merely predominantly displayed from those used in the present invention.

In addition, Applicants note that Ording (U.S. Patent No. 6,396,520) also fails to cure the deficiencies of the cited prior art. In this regard, Ording merely describes the minimization of a window to an icon via a set of various curves (see FIGs. 2A-2F and col. 3, line 26-col. 5, line 29). In another embodiment of Ording, a window slides out to a different size also based on a specific set of curves (see FIGs. 3A-3F and col. 5, line 30-col. 6, line 14). What is notoriously absent from

Ording is any description whatsoever of the cursor movements or detailed steps of the presently claimed invention that allow Ording's window to slide out or shrink back. Instead, the only reference has to how to initiate the sliding window movement is in col. 6, lines 34-42:

FIG. 6 depicts the steps associated with a method that might be employed to implement, for example, the window minimization/maximization technique shown in FIGS. 2A-2F. As shown in step 605, the method begins, of course, with an initiation step. Typically, this is accomplished by the user through the selection of an on-screen button, using a cursor control device, which may be physically associated with the window being minimized/maximized or by the user depressing one or more keys on a keyboard.

As can be seen from this text, buttons must be used to trigger the sliding window movement. Such actions are directly contrary to that required by the present claims and inconsistent with any of the other cited art. Further, there is no reason or motivation to combine Ording with the previously cited art.

Moreover, the various elements of Applicant's claimed invention together provide operational advantages over Janssen, Microsoft®, Wandersleben, and Ording. In addition, Applicant's invention solves problems not recognized by Janssen, Microsoft®, Wandersleben, and Ording.

Thus, Applicant submits that independent claims 1, 11, and 21 are allowable over Janssen, Microsoft®, Wandersleben, and Ording. Further, dependent claims 3-10, 13-20, and 23-30 are submitted to be allowable over Janssen, Microsoft®, Wandersleben, and Ording in the same manner, because they are dependent on independent claims 1, 11, and 21, respectively, and thus contain all the limitations of the independent claims. In addition, dependent claims 3-10, 13-20, and 23-30 recite additional novel elements not shown by Janssen, Microsoft®, Wandersleben, and Ording.

V. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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